UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

EBI, LLC

and

Case 10-CA-088242

UNITED STEEL WORKERS INTERNATIONAL UNION ON BEHALF OF **UNITED STEEL WORKERS LOCAL 831**

ORDER

The Employer's petition to revoke subpoena duces tecum B-644216 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally NLRB v. North Bay Plumbing, Inc., 102 F.3d 1005 (9th Cir. 1996); NLRB v. Carolina Food Processors, Inc., 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., February 4, 2013.

MARK GASTON PEARCE, CHAIRMAN

RICHARD F. GRIFFIN, JR., MEMBER

SHARON BLOCK. **MEMBER**

¹ In its opposition to the petition to revoke the subpoena duces tecum, the Subregion stated that it was prepared to narrow its request for complete personnel files to the files of unit employees as defined by Case 11-RC-006761. In denying the Employer's petition to revoke the subpoena duces tecum, we consider the subpoena as so narrowed.